

Notice of Allowability

Application No.

10/659,902

Examiner

Rodney G. McDonald

Applicant(s)

SOMEKH ET AL.

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment of September 15, 2005.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


RODNEY G. MCDONALD
PRIMARY EXAMINER

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

It is neither anticipated nor obvious over the prior art of record to have a method of depositing material onto a substrate having a substrate layer of material as claimed by Applicant in claims 1-8 or 9-10; or a method of depositing material onto a substrate having a conductor layer and an insulator overlying the conductor layer as claimed by Applicant in claim 11; or a process kit for a semiconductor sputter chamber having a window in a pressure wall, a detector disposed outside the window, a target and a workpiece support within the chamber and a plasma generation area between the workpiece support and the target as claimed by Applicant in claims 12-14 and 24; or a reactor as claimed by Applicant in claims 15-16 and 17-19; or a system as claimed by Applicant in claims 20-23 and 26; or a reactor system as claimed by Applicant in claim 25.

US 5,160,576 to Robbins, US 3,664,942 to Havas et al. (Havas), US 6,813,534 B2 to Sui et al. (Sui), and ***Optical emission spectroscopy of high density metal plasma formed during magnetron sputtering*** by Radzimski et al. (Radzimski) are pertinent art.

Robbins discloses optically detecting the change in emission peak, but the folded radiation path or reflection labyrinth is outside the chamber and the compositions of materials that are resputtered are not detected as a function of the wavelengths monitored.

Radzimski merely discloses that monitoring can occur in magnetron sputtering. There is no indication of any reflection bending, folding, or labyrinth path or measuring composition of material resputtered from a substrate as a function of the wavelengths.

Havas discloses end point detection based upon temperature monitoring, but there is no indication that the infrared radiation is bent or reflected along a labyrinth path. Likewise, Sui does not bend or reflect any radiation along a labyrinth path.

Modifying Sui, Radzimski, Havas, or Robbins to include the limitations or folded radiation in the chamber or measuring the composition as a function of wavelengths monitored from resputtered material would require hindsight.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney G. McDonald whose telephone number is 571-272-1340. The examiner can normally be reached on M- Th with Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney G. McDonald
Primary Examiner
Art Unit 1753

RM
November 16, 2005